

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Barry N. KREISWIRTH *et al.* Attorney Docket No: 19124.0012
Application No.: 10/073,256 Group Art Unit: 1631
Filed: February 13, 2002 Examiner: C. D. Ly
For: SYSTEM AND METHOD FOR TRACKING AND CONTROLLING INFECTIONS

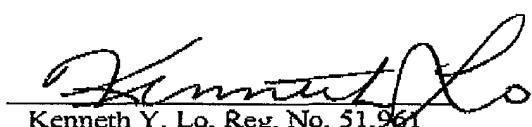
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Kenneth Y. Lo, Reg. No. 51,961

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Application Number	10/073,256
Filing Date	February 13, 2002
First Named Inventor	B. Kreiswirth
Group Art Unit	1631
Examiner Name	C. D. Ly
Attorney Docket Number	19124 0012

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Statement Claiming Small Entity Status	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
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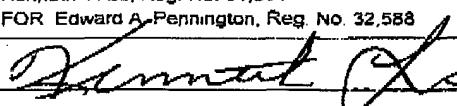
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Firm or Individual name	Kenneth Y. Lo, Reg. No. 51,961 FOR Edward A. Pennington, Reg. No. 32,588	
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Date	October 13, 2003	

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits the following amendments and remarks for entry and consideration prior to the examination of the above-identified application.

IN THE CLAIMS

Please amend the claims as follows:

1-50. (Canceled)

51. (New) A method for identifying a subspecies of *Staphylococcus aureus*, the method comprising:

obtaining a sample of a microorganism;

sequencing a first region of a nucleic acid from the microorganism sample;

comparing the first sequenced region with historical sequence data stored in a database, the historical sequence data comprising at least one *Staphylococcus aureus* sequence region; and

determining a measure of phylogenetic relatedness between the microorganism sample and a plurality of historical samples stored in the database,

wherein the at least one *Staphylococcus aureus* sequence region further comprises a forward primer upstream of the sequence and a reverse primer downstream of the sequence, and the forward primer and the reverse primer permit identification of a region of variable number tandem repeats.